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*Motion granted as  
Zandstra has been  
returned to federal  
custody. So order  
Sweet  
USDC  
4.2.08*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
RANDALL ZANDSTRA,

Petitioner,

08 Civ. 929 (RWS)

v.

**NOTICE OF MOTION  
TO DISMISS FOR LACK  
OF SUBJECT MATTER  
JURISDICTION**

UNITED STATES MARSHAL SERVICE and  
UNITED STATES BUREAU OF PRISONS,

Respondents.  
----- X

PLEASE TAKE NOTICE that, upon the accompanying (1) Respondents' Memorandum of Law in Support of Their Motion to Dismiss Petitioner Randall Zandstra's Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, and (2) the Declaration of Rina Desai, dated March 26, 2008, and the exhibit attached thereto, respondents United States Marshals Service and Federal Bureau of Prisons, by and through their attorney, MICHAEL J. GARCIA, United States Attorney for the Southern District of New York, will move this Court for dismissal of the


*[Signature]*  
FILED  
U.S. DISTRICT COURT  
S.D. OF N.Y.  
APR 11 2008

above-captioned petition for a writ of habeas corpus, pursuant to Fed. R. Civ. P. 12(b)(1), on the ground that the Court lacks subject matter jurisdiction over the petition.

Dated: New York, New York  
March 31, 2008

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